

be able to present his values and the values of Ted Kennedy and Massachusetts to the Senate, with respect to the issue he talked about today.

I cannot say that for many of us who sat here and listened to this, as we looked across the Senate at this desk, that there still is not an adjustment as we look there and do not see our friend Ted Kennedy but see, instead, the person who has been chosen to follow in his footsteps.

I know Ted Kennedy would be both enormously proud and enormously pleased that PAUL KIRK spoke the way he did today and chose to speak as he did about health care.

PAUL KIRK was in the Senate working for Ted Kennedy in 1969, when Ted Kennedy first took up the great cause of health care. It was no accident that he came to be here working for Ted Kennedy, though it was somewhat of an effort because PAUL had chosen to work in the Presidential campaign of Robert Kennedy. When Robert Kennedy was assassinated, PAUL felt there was not a place in politics for him, and so he stepped back for a moment. It took Ted Kennedy a considerable amount of personal persuasion and effort to give him a sense that working in the Senate, working with him was the best way to try to carry on. That was the beginning of an extraordinary working partnership. I think PAUL worked with Ted Kennedy until about 1977 or so in the Senate, but he never stopped working with him as both a friend and an adviser. He went on to become the founder of the Presidential Debate Commission. He chaired the Democratic National Committee. He has chaired the Kennedy Library, and now he comes to us as an extraordinarily appropriate replacement, to the degree there can ever be a replacement—we all understand the difficulties of that—for our friend Ted Kennedy.

I thank him for his words today. I thank him for his willingness to come and serve at a difficult time. I thank him for being willing to go through all the gyrations one has to go through to meet the standards of the Ethics Committee of the Senate to serve just, knowingly, for 4½ months. That is a great statement both about his feelings about being chosen to fill the seat he fills but also about his commitment to public service.

I thank my colleague for his comments about health care. He is absolutely correct; we are on the cusp of a historic choice in this country, and I think it is more than fitting that PAUL KIRK, who knows Ted Kennedy's staff, who had such a close relationship with him, who shares his values so intensely, is here to be part of this vote.

He is absolutely correct. While he is the 60th vote, it may change some of our ability to move or not move, the thought he expressed about our desire to have all Senators join in this historic moment and weigh in, in a way that permits more of them to take part is exactly what the Senate is about.

I close by saying, as I looked across at PAUL, I thought about this transitional moment, of his first speaking and following in the footsteps of Ted Kennedy from that seat and that desk. It reminds all of us that we all come and we go here. It gives us a sense of the timelessness, if you will, of this institution. It reminds us that while we do change and we come and go, this institution is here, the Congress is here, the country is here, the demands of the people are here, and good people keep coming here to try to meet those demands and live out the best values for our Nation.

I congratulate my colleague for representing Massachusetts so effectively, for keeping faith with Ted Kennedy and this institution, and helping to remind us of the importance of the work ahead of us in the days ahead.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Madam President, next to the door of Senator Kennedy's old office—now Senator KIRK's office—is a small brass plaque that Senator Kennedy had mounted near the door with an old Gaelic greeting: *Cead Mile Failte*—100,000 welcomes. With his first maiden speech on the floor of the Senate, I extend to Senator KIRK, my colleague, officially, *Cead Mile Failte*, 100,000 welcomes to this great body. The fact the Senator would stand and speak to an issue of such enduring significance, not only to the Nation but to Senator Ted Kennedy, is entirely fitting.

Forty-five years ago, Ted Kennedy gave his maiden speech on the floor of the Senate, addressing the moral issue of his time—the issue of civil rights. Over the years, he came to understand the issue of health care is an issue of civil rights. His son, Congressman PATRICK KENNEDY, tells the story when his dad was in the hospital recently recuperating from cancer, he would walk the wards. We can see him plodding along, going from room to room, talking to people about how they were doing and, more specifically, how they were paying for their medical care.

Ted never stopped caring about not only the many people he represented in Massachusetts and around the Nation but around the world. During the time he served in the Senate, he extended the reach of civil rights and opportunity through health care, with Medicaid and Medicare and COBRA and children's health insurance and so many other things that he was a part of. I am honored the Senator is here today, as he has said, to be the voice and the vote of Senator Edward M. Kennedy. The question asked is: Will the circle go unbroken? With the Senator's speech today, it is clear it is unbroken; that the Senator is carrying on the fine tradition not only of Senator Kennedy but of so many people who were inspired by his words over the years.

I congratulate my colleague on his maiden speech on the floor of the Senate.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Madam President, I simply wish to rise and acknowledge the wise words of a good man and a good Senator in the great tradition of Ted Kennedy.

I thank the Senator, for his work, his commitment, and his dedication. With his help, we will complete the work Senator Kennedy started.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate will stand in recess until 2:15 p.m.

Thereupon, the Senate, at 12:32 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. WEBB).

EXECUTIVE SESSION

NOMINATION OF IRENE CORNELIA BERGER TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA—Continued

The PRESIDING OFFICER. Under the previous order, the senior Senator from West Virginia is recognized for 5 minutes.

Mr. BYRD. Mr. President, I am very pleased that the Senate will vote today to confirm West Virginia Circuit Court Judge Irene C. Berger for a seat on the U.S. District Court for the Southern District of West Virginia. I thank Chairman LEAHY and Ranking Member SESSIONS for moving the nomination forward. Along with my colleague, Senator JAY ROCKEFELLER, I was proud to recommend Judge Berger, for she is not only an outstanding jurist, she is also an exemplary person. A native of Berwind, in McDowell County, WV, Judge Berger has devoted her legal career to public service in West Virginia.

As a young attorney, she provided legal services to those who were most needy. As a prosecutor, Judge Berger obtained many high-profile felony convictions. Judge Berger has served as a circuit judge for the Thirteenth Judicial Circuit of West Virginia for 15 years—1½ decades—and she has devoted countless hours of service to her community.

Through her drive and determination, Judge Berger broke barrier after barrier. She was the first in her family to attend college. She was the first African-American woman to serve as a circuit judge in West Virginia. Embodying true mountaineer spirit and pride, Judge Berger's contributions to legal service and to education have been substantial. Sitting on the bench, she will continue her fine service to her community and to the great State of West Virginia.